

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of July 7, 2020

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, July 7<sup>th</sup>, 2020, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Chair Deb Hadcock called the meeting to order with the following Commissioners present: Mark DiSanto, Gary Drewes, Lloyd LaCroix, and Ron Rossknecht.

**REVIEW AND APPROVE AGENDA**

MOVED by DiSanto and seconded by Drewes to approve the agenda as presented. Vote: Unanimous.

**CONSENT AGENDA**

MOVED by Rossknecht and seconded by Drewes to approve the Consent Agenda as presented. Vote: Unanimous.

5. Minutes of the regular meeting – June 16, 2020.
6. Approve the renewal of the (on-off sale) Malt Beverage & SD Farm Wine License for Reptile Gardens as presented and to release the licenses upon payment of appropriate property taxes.
7. Authorize the Chair's signature to the Order of Organization and Incorporation for the Burgess Road District as presented.
8. Acknowledge the Resolution for a minor adjustment to road district boundaries of the Kieffer Ranch Road District as presented.
9. Approve the purchase of a new laser projector and security camera for the Commission Chambers.
10. Declare surplus for the purpose of sale or disposal, one Glock 19, Serial number BCHV839.
11. Declare surplus items left as presented at 725 N. Lacrosse Street for the purpose of sale, donation or disposal.

End of Consent Agenda

**LIEN RELEASE REQUEST:** MOVED by Rossknecht and seconded by DiSanto to table this item. Vote: Unanimous.

**ITEMS FROM AUDITOR**

- A. **RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTUAL DOCUMENTS WITH THE STATE OF SOUTH DAKOTA FOR THE RECEIPT OF CARES ACT FUNDS:**  
MOVED by Drewes seconded by LaCroix to approve the resolution authorizing the execution of contractual documents with the State of South Dakota for the receipt of CARES Act funds. Vote: Unanimous.

**PENNINGTON COUNTY RESOLUTION**

**A resolution authorizing the execution of contractual documents with the State of South Dakota for the receipt of CARES Act funds to address the Covid-19 public health crisis**

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**WHEREAS**, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the “CARES Act”), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

**WHEREAS**, Pennington County acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

**WHEREAS**, Pennington County acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

**WHEREAS**, Pennington County seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

**WHEREAS**, Pennington County acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for Pennington County most recently approved as of March 27, 2020; and

**WHEREAS**, Pennington County acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

**NOW, THEREFORE BE IT RESOLVED** by the County Commission of Pennington County that the Chair of the Pennington County Commission may execute any and all documents as required by the State in order to receive CARES Act funds.

**IT IS FURTHER RESOLVED** that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the County budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

**IT IS FURTHER RESOLVED** that the County will not request reimbursement from the State under the CARES Act for costs for which the County previously received reimbursement, or for which the County has a reimbursement request pending before another source.

Dated this 7th day of July, 2020.

/s/Deb Hadcock, Chair

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/s/Cindy Mohler  
Pennington County Auditor

- B. LOCAL GOVERNMENT COVID RECOVERY FUND REIMBURSEMENT AGREEMENT: MOVED by Drewes and seconded by LaCroix to approve the Local Government COVID Recovery Fund Reimbursement Agreement with the State of South Dakota. Vote: Unanimous.
- C. 9:15 A.M. PUBLIC HEARING: MOVED by Drewes and seconded by DiSanto to table this item until 9:15 a.m. Vote: Unanimous.

**ITEMS FROM SHERIFF**

- A. REQUEST TO HIRE – JAIL CORRECTIONAL OFFICERS: MOVED by Rossknecht and seconded by Drewes to authorize the Sheriff's Office to hire five (5) Correctional Officers on July 12<sup>th</sup>, 2020. Vote: Unanimous.

MOVED by Drewes and seconded by DiSanto to take item 12 off of the table. Vote: Unanimous.  
**LIEN RELEASE REQUEST**- No action taken on this item.

**ITEMS FROM EMERGENCY MANAGEMENT**

- A. COVID – 19 UPDATE: MOVED by DiSanto and seconded by Rossknecht to table this item. Vote: Unanimous.

**ITEMS FROM HIGHWAY DEPARTMENT**

- A. FEDERAL AID BRIDGE REPLACEMENT PROGRAM NOTICE OF AWARD: Informational only.
- B. RESOLUTION 2020-07-07-1: MOVED by DiSanto and seconded by LaCroix to approve Resolution 2020-07-07-1 to change the speed limit on Lower Spring Creek Road to 40 miles per hour from the intersection of Old Folsom Road west for 1.2 miles. Vote: Unanimous.

**RESOLUTION 2020-07-07-1**

WHEREAS, the Pennington County Board of Commissioners have determined that it would be in the best interest of the residents of Pennington County that a speed limit on Lower Spring Creek Road be established effective August 4, 2020; and

WHEREAS, this Board has the authority to establish such a speed zone on Lower Spring Creek Road pursuant to SDCL 32-25-9.1 and SDCL 7-18A-2;

THEREFORE BE IT RESOLVED, that a speed zone limiting the maximum speed of travel to 40 miles per hour be established on Lower Spring Creek Road, beginning at the Old Folsom

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Road intersection between Section 22 and Section 27, T1S, R8E, BHM, thence west for a distance of 1.2 miles.

Dated this 7th day of July, 2020.

/s/Deb Hadcock, Chair  
Pennington County Board of Commissioners

/s/Cindy Mohler  
Pennington County Auditor

C. MODIFICATION #1 TO FOREST SERVICE AGREEMENT: MOVED by Rossknecht and seconded by Drewes to approve Modification #1 to Forest Service Agreement 20-CS-11020306-041. Vote: Unanimous.

MOVED by Drewes and seconded by DiSanto to take item 13C off the table. Vote: Unanimous.

**ITEMS FROM AUDITOR**

C. 9:15 A.M. PUBLIC HEARING: MOVED by LaCroix and seconded by Drewes to approve supplement SP20-009 to the General Fund John T Vucurevich Budget in the amount of \$60,106 and the Health and Human Services budget in the amount of \$10,000 both from current year revenue. Vote: Unanimous.

**ITEMS FROM HIGHWAY DEPARTMENT**

D. MAINTENANCE AGREEMENT: MOVED by LaCroix and seconded by DiSanto to approve the Sunset Ranch Road District Maintenance Agreement. Vote: Unanimous.

E. AMENDMENT #1 TO JOINT POWERS AGREEMENT: MOVED by Rossknecht and seconded by Drewes to approve Amendment #1 to Joint Powers Agreement 614554. Vote: Unanimous.

F. BIDS FOR ONE NEW TRUCK: MOVED by Drewes and seconded by LaCroix to authorize the Highway Department to advertise and let bids for one new truck. Vote: Unanimous.

G. BRIDGE DECK COLLAPSE NEMO ROAD STRUCTURE 52-306-261: Informational only.

**SOUTH VALLEY DRIVE** – No action taken at this time.

MOVED by Drewes and seconded by LaCroix to take item 15 off the table. Vote: Unanimous.

**ITEMS FROM EMERGENCY MANAGEMENT**

A. COVID – 19 UPDATE: MOVED by Drewes and seconded by LaCroix to lift restricted access to County Facilities effective 07/13/2020 except for the State’s Attorneys Office and the Public Defender’s Office which would open 07/27/2020. Vote: Unanimous.

MOVED by DiSanto and seconded by LaCroix to continue the public health screenings.  
Vote: Unanimous.

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MOVED by Drewes and seconded by DiSanto to continue to maintain a single point of entry entrance into the building. Vote: Unanimous.

MOVED by LaCroix and seconded by Rossknecht to direct Department Heads to come up with their own requirements for their offices on requiring face masks and let the Commissioners know what they have decided. Vote: Unanimous.

MOVED by Drewes and seconded by DiSanto to take a five-minute recess. Vote: Unanimous.

**ITEMS FROM HUMAN RESOURCES**

- A. **NEW POSITION TITLES & DMB RATINGS:** MOVED by Drewes and seconded by LaCroix to approve the new position titles and DBM rating for 2021 implementation as follows: **Equalization:** Staff Assistant 3 B21, Staff Appraiser B23 and Senior Appraiser B31; **ESCC/911:** Telecommunicator B21, Dispatcher 4 B24, Assistant Dispatch Supervisor B32, Dispatch Supervisor C41, ESCC Office Manager C41 and Director – ESCC/911 D61; **Treasurer:** Tax & Title Assistant B22 and Tax and Title Specialist B23. Vote: Unanimous.
- B. **EXEMPT STATUS CHANGE:** MOVED by Drewes and seconded by LaCroix to update the FLSA status from exempt to non-exempt for the Highway Foreman position, effective July 12, 2020. Vote: Unanimous.
- C. **PAY ADMINISTRATION POLICIES AND PRACTICES - GALLAGHER PAY SCALE:** MOVED by LaCroix and seconded by Rossknecht to continue this item until the July 21, 2020 Commission meeting. Vote: Unanimous.

**ITEMS FROM PLANNING & ZONING**

**BOARD OF ADJUSTMENT:** MOVED by Drewes and seconded by DiSanto to convene as the Board of Adjustment. Vote: Unanimous.

- A. **VARIANCE REVIEW / VA 19-05:** Michael and Soraya Pellan. To review a Variance to Section 319-B-3 of the Pennington County Zoning Ordinance to allow a less than one (1) acre lot size for a Vacation Home Rental in a Suburban Residential District in accordance with Sections 208, 319, and 509 of the Pennington County Zoning Ordinance.

Lot 24R, Block B, Edelweiss Mountain Development Subdivision, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

MOVED by Drewes and seconded by LaCroix to approve Variance / VA 19-05, with the following condition. Vote: The motion carried 4-1 with DiSanto voting no.

1. That this Variance only applies for the existing single-family residence to be utilized as a Vacation Home Rental.

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MOVED by DiSanto and seconded by Rossknecht to add a condition to the Conditional Use Permit for the Vacation Home Rental, that if the property is sold the Conditional Use Permit ends. Vote: Unanimous.

- B. VARIANCE / VA 20-02: Tom and Pam Troxel. To reduce the side yard setback from 25 feet to 10 feet and to reduce the front yard setback from 25 feet to a zero (0) foot setback and to allow an accessory structure to be placed in the front yard in a Low Density Residential District in accordance with Sections 207, 309-C-6, and 509 of the Pennington County Zoning Ordinance.

Lot 6R, Block 1, Mission Hills #2 Subdivision, Section 6, T1N, R6E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve Variance / VA 20-02, with the following two (2) conditions. Vote: Unanimous.

1. That this Variance applies only to the proposed woodshop structure, and all other structures must meet the minimum setback requirements or obtain separate Variances; and,
2. That prior to construction of the shop building, the applicants obtain an approved Building Permit.

MOVED by DiSanto and seconded by Drewes to adjourn as the Board of Adjustment and reconvene as the Board of Commissioners. Vote: Unanimous.

**PLANNING & ZONING CONSENT AGENDA ITEMS**

The following item(s) have been placed on the Consent Agenda for action to be taken on all items by a single vote of the Board of Commissioners. Any item may be removed from the Consent Agenda for separate action.

MOVED by Rossknecht and seconded by Drewes to approve the Planning and Zoning consent agenda as presented. Vote: Unanimous.

- C. SECOND READING OF ORDINANCE AMENDMENT / OA 20-02: Pennington County. To amend Section 506 “Building Permits” [to replace and supersede Section 506 “Building Permits”] of the Pennington County Zoning Ordinance.

Approve of Ordinance Amendment / OA 20-02.

**ORDINANCE #34-41**

AN ORDINANCE AMENDMENT TO THE PENNINGTON COUNTY ZONING ORDINANCE.

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BE IT HEREBY ORDAINED BY THE PENNINGTON COUNTY BOARD OF COMMISSIONERS THAT THE PENNINGTON COUNTY ORDINANCE #34 BE AMENDED AS FOLLOWS:

SECTION 506: Section 506 Building Permits shall be amended as follows:

A. Purpose

A Building Permit is required to ensure proposed building or structure is in compliance with Pennington County Ordinances.

B. Applicability

Section 506 applies to ALL residential and commercial buildings or structures.

1. Required Permit. A Building Permit is required *prior* to erecting, constructing, enlarging, moving, or demolishing any building or structure. To “enlarge” means to increase finished square feet, number of bedrooms, or building/structure footprint.
2. Land Disturbance. Excavation, clearing, or land disturbance of an area less than 10,000 square feet may be commenced prior to approval of a Building Permit. No other construction activities are allowed to commence until a Building Permit has been signed and stamped approved by the Planning Director or designee.
3. Exceptions. A Building Permit is NOT required for the following buildings or structures:
  - a. Accessory structures 144 square feet or less *and* not permanently anchored to the ground;
  - b. Fences or border walls *eight feet or less* in height;
  - c. Snow fences on real property zoned *and* taxed agriculture;
  - d. Portable buildings, such as those used in calving/lambing operations, grain storage, etc., on real property zoned *and* taxed agriculture which are moved as part of the agricultural operation at least once every five years.

C. Application Requirements

Building Permit applications *must* include all of the following:

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1. Use. Use or change of use of building or structure;
2. Description. Description of work to be performed under the Building Permit, including dimensions and square footage of proposed building or structure;
3. Location. Legal description, street address, or other description of real property that clearly identifies real property where building or structure is/will be located;
4. Site Plan. Site plan showing location and yard setback distance for proposed and all existing buildings or structures. The site plan must also include location of wells, drainfields, septic tanks, recorded easements, driveways, and Special Flood Hazard Areas;
5. Floor Plan. Floor plan, with rooms labeled;
6. Signature. Signature of applicant, landowner, or authorized agent and a notarized Owner's Statement, when applicable;
7. Payment of application fee(s); and,
8. Other information and documentation as required by the Planning Department.

Commercial Building Permit applications must also include an estimated cost of construction (minus labor) for proposed work and stamped professional plans. Commercial structures must be designed by a South Dakota licensed professional (i.e. engineer or architect) unless designed by persons exempt under SDCL 36-18A-9.

An incomplete Building Permit application will NOT be accepted for review. Failure to meet application requirements or provide information or documents requested by the Planning Department within 90 days of receipt of application will result in denial of the Building Permit.

D. Application Review

1. Payment of Building Permit fee(s) does not constitute approval of a Building Permit.
2. The application, plans and specifications, and other supporting documents will be reviewed to verify compliance with applicable local, state, and federal law, rules or regulations.



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3. If the building or structure complies with applicable local, state, and federal law, rules or regulations, and application requirements are met, the Planning Director or designee will approve the Building Permit.
4. A Building Permit will not be approved or valid until all applicable fees have been paid.
5. No Building Permit will be approved for a building or structure affixed to a permanent foundation and encroaching on a recorded easement unless easement is vacated.
6. The Planning Director or designee may require, at any time, the correction of errors in an application and supporting document(s).
7. The Planning Director or designee may enter upon the real property to determine veracity of the application or verify compliance with applicable local, state, federal law, rules or regulations.
8. A Building Permit is not approved until the application has been signed and stamped approved by the Planning Director or designee.

E. Legal Nonconforming

A Building Permit may be issued by the Planning Director or designee for an existing legal nonconforming building or structure, not meeting minimum setback requirements, provided there is not an increase in nonconformity of the building or structure. *See* PCZO Section 401.

F. Appeal

A decision by the Planning Director or designee granting or denying a Building Permit may be appealed to the Board of Adjustment as prescribed under SDCL 11-2-55.

G. Design Standards for New Construction

1. International Building Code. Where design standards for new construction have not been adopted, new construction must comply with the International Building Code as prescribed in SDCL 11-10-6.
2. Electrical and Plumbing Inspection. All electrical and plumbing work must comply with State codes and administrative regulations. Inspections by State plumbing and electrical inspectors are required and it is the responsibility of the landowner or authorized agent to ensure that inspections are completed.

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3. International Fire Code. All new construction must comply with the most recent edition of the International Fire Code.

H. Expiration of Building Permits

1. Work authorized under a Building Permit must be commenced within 90 days and substantially completed within 2 years from date of Building Permit approval. Substantial completion means that state in the progress of work when the building or structure is sufficiently complete so that the owner may occupy or utilize for its intended use.
  - a. The Planning Director or designee may grant an extension of time for a period not exceeding one year for each Permit issued.
  - b. An extension of time must be requested in writing *prior* to expiration of the Building Permit and reasonable cause for extension must be demonstrated. An extension requires payment of an additional fee. *See* PCZO Section 511 – Fees.

I. Stop Work Order

The Planning Director or designee may issue a Stop Work Order under any of the following circumstances:

1. Work performed is contrary to the approved Building Permit or local, state, or federal law, rules or regulations.
2. Building activity is occurring without a required permit.
3. Continued construction is likely to endanger public health, welfare, or safety.
4. Continued construction constitutes a public nuisance as defined under SDCL Chapter 21-10.

A Stop Work Order must be issued in writing and delivered to the person responsible for the construction activity or his or her employee/agent. All construction activity and other site development must cease, except work to stabilize or secure the site as allowed or required by the Planning Director or designee. Construction activity and site development may resume *only* when the Stop Work Order is rescinded in writing by the Planning Director or designee

J. Enforcement

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Any person, firm, corporation, or association violating any provision of Section 506 will be subject to ALL applicable civil and criminal remedies allowed under the laws of the State of South Dakota. In addition to the penalties expressly provided in Section 506, the county may pursue other remedies including, but not limited to, injunctive relief or revocation of permits.

1. Ordinance Violation

Any person, firm, corporation, or association violating any provision of Section 506 is in violation of Pennington County Zoning Ordinance and subject to the penalties set forth in PCZO Sections 511 and 514.

2. Injunction

In addition to all other remedies available to Pennington County to prevent, correct, or abate violations of Section 506, the Planning Director may seek injunctive relief pursuant to SDCL Chapter 21-8 against any property owner, applicant, or other person in violation of Section 506. The injunctive relief authorized may include a reparative injunction requiring any party who commits a violation of Section 506 to bring or return any affected property to a condition which does not constitute a nuisance, as that term is defined under SDCL Chapter 21-10.

3. Abatement

A violation of Section 506 constituting a public nuisance as defined under SDCL Chapter 21-10 is subject to abatement. The Planning Director has authority to declare and summarily abate a public nuisance pursuant to SDCL 21-10-6.

Dated this 7th day of July, 2020.

/s/Deb Hadcock, Chair  
Pennington County Board of Commissioners

/s/Cindy Mohler  
Pennington County Auditor

D. MINOR PLAT / MPL 20-10: Robert Schryvers. To reconfigure lot lines to create Lot D1 and Lot 1A of the Log Porch Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

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EXISTING LEGAL: Lot 21 of Morse Subdivision #4; Lot 1 of D-R-J Subdivision and Tract in NE1/4NE1/4; Lot D of NE1/4NE1/4, all located in Section 8, T1N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot D1 and Lot 1A of the Log Porch Subdivision, Section 8, T1N, R6E, BHM, Pennington County, South Dakota.

Approve of Minor Plat / MPL 20-10 with the following six (6) conditions.

1. That prior to filing the Plat with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Variance(s) to Subdivision Regulations be obtained waiving any of these requirements that are not met. Subdivision Regulations Variances shall be submitted per Section 700 of Pennington County Subdivision Regulations;
2. That prior to filing the Plat with the Register of Deeds, Note 2 be corrected to identify eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
3. That prior to filing the Plat with the Register of Deeds, the easement line running through Lot D1 has a bearing and distance or a distance along the north property line to the northeast property corner, per County Highway Department comments;
4. 4. That prior to filing the Plat with the Register of Deeds, the Plat Heading be corrected to read Lot 21 of Morse Subdivision #4, per Register of Deeds comments;
5. That all natural drainage ways are maintained and are not blocked; and,
6. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit.

- E. MINOR PLAT / MPL 20-11: Rustlers Ranch, LLC; Davis Engineering – Agent. To create Tract A of Rustlers Ranch Addition in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: SW1/4SE1/4; SE1/4SE1/4 Less Tract 1754 and Less Right-of-Way, Section 8, T1N, R4E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract A of Rustlers Ranch Addition, Section 8, T1N, R4E, BHM, Pennington County, South Dakota.

Approve of Minor Plat / MPL 20-11 with the following eight (8) conditions.

1. That at the time of Minor Plat submittal, eight (8) foot Minor Drainage Easements to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;

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2. That at the time of the Minor Plat submittal, the proposed Plat be prepared by a Registered Land Surveyor;
3. That prior to the Plat being recorded with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;
4. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
5. That prior to the Plat being recorded with the Register of Deeds, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
6. That prior to the Plat being recorded with the Register of Deeds, the plat be updated per Register of Deeds comments;
7. That prior to the Plat being recorded with the Register of Deeds the 40-foot access easement is to be recorded, therefore a document number of that recording needs to replace “dedicated this plat” in the label of that easement. The beginning or end of the 40-foot access easement should have a dimension to one of the property corners, per County Highway Department comments; and,
8. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director.

End of Consent Agenda

**PLANNING & ZONING REGULAR AGENDA**

- F. VACATION OF EASEMENT / VE 20-01: Tom and Pam Troxel. To vacate a portion of the Minor Drainage and Utility Easement to construction a shop building on the subject property.

Lot 6R, Block 1, Mission Hills #2 Subdivision, Section 6, T1N, R6E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by LaCroix to approve of Vacation of Easement / VE 20-01 with the following two (2) conditions. Vote: Unanimous.

1. That all necessary resolutions and exhibits vacating the easement be recorded by the applicant at the Register of Deed’s Office; and,
2. That the vacation of the 8-foot utility and drainage easement in the front yard only be for the proposed shop. Any additional encroachments into the easement will require separate vacation of Easement approval(s).

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- G. LAYOUT PLAN / LPL 20-12: David Grover. To create Lots A, B, C, and D of Buzmar Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 1 of Buzmar Subdivision, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots A, B, C, and D of Buzmar Subdivision, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve of Layout Plat / LPL 20-12 with the following nine (9) conditions. Vote: Unanimous.

1. That the applicant obtains Approach Permits from the County Highway Department prior to installation of any approaches off of Old Hill City Road;
2. That the 40-foot-wide Access Easement on the plat be designated as either “private” or “public”;
3. That the applicant ensures all natural drainage ways are maintained and are not blocked;
4. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations and as deemed appropriate by the Register of Deeds;
5. That at the time of Preliminary Plat submittal, a minimum of an eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
6. That at the time of Preliminary Plat submittal, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met;
7. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance;
8. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director; and,
9. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

- H. REQUEST FOR FORMAL ACTION TO CLOSE SECTION LINES, PER SDCL 31-18-3, BETWEEN SECTIONS 13 & 14: GCC DACOTA, INC.: MOVED by LaCroix and seconded by DiSanto to approve the request to close Section Lines per SDCL 31-18-3 described as the north Section Line of Section 14 lying in the NE1/4, and the NE1/4 of NW1/4 of T2N, R7E; and the north Section Line of Section 13 lying in the NW1/4 of the NW1/4 of T2N, R7E. Vote: Unanimous.

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**ITEMS FROM CHAIR/COMMISSION MEMBERS**

**COMMITTEE REPORTS**

**APPROVAL OF VOUCHERS:** MOVED by Drewes and seconded by LaCroix to approve the vouchers entered below for expenditures for insurance, professional services, publications, rentals, supplies, repairs, maintenance, travel, conference fees, utilities, furniture and equipment totaling \$463,116.87. Vote: Unanimous.

AT&T Mobility, 3,772.39; BH Energy, 943.90; BH Energy, 150.21; BH Energy, 36.78; Century Link, 258.53; City Of Rapid City -Water, 13,882.82; City Of Rapid City -Water, 7,024.43; Executive Mgmt Fin Office, 50.00; Executive Mgmt Fin Office, 25.00; Kieffer Sanitation/A Waste Management Co, 224.00; Midcontinent Communications, 920.83; Midcontinent Communications, 2,830.96; Montana Dakota Utilities, 1,422.48; Montana Dakota Utilities, 4,054.89; Pioneer Bank & Trust, 4,277.86; Pioneer Bank & Trust, 6,806.69; Pioneer Bank & Trust, 12,619.63; Pioneer Bank & Trust, 2,117.20; Pioneer Bank & Trust, 3.06; Rainbow Gas Company, 1,164.50; Vast Broadband, 1,697.43; Verizon Wireless, 163.16; Verizon Wireless, 2,176.82; Wellmark, 365,953.30; Where All Women Are Honored, 16,940.00; Where All Women Are Honored, 13,600.00.

**ITEMS FROM THE PUBLIC**

**EXECUTIVE SESSION – SDCL 1-25-2**

A. Personnel Issue per SDCL 1-25-2(1)

MOVED by DiSanto and seconded by Drewes to go into Executive Session pursuant to SDCL 1-25-2(1) for the purpose of discussing personnel matters. Vote: Unanimous.

MOVED by Drewes and seconded by LaCroix to come out of Executive Session. Vote: Unanimous.

MOVED by Drewes and seconded by LaCroix to move Highway employee, Ronald Stagner to a grade 16, step 10, \$25.13/hr., effective 07/12/2020. Vote: Unanimous.

MOVED by LaCroix and seconded by DiSanto to move Equalization Director Shannon Rittberger to a grade 24, step 13, \$3544.80/bi-wkly., effective 07/26/2020. Vote: Unanimous.

MOVED by Drewes and seconded by LaCroix to move Planning Director Brittney Molitor to a grade 24, step 5, \$3,208.80/bi-wkly., effective 08/09/2020. Vote: Unanimous.

**PAYROLL**

Commissioners, 8,812.63; Elections, 42,431.39; Auditor, 9,647.07; Treasurer, 36,599.64; State's Attorney, 119,282.25; Public Defender, 70,860.91; Buildings & Grounds, 60,929.36; Equalization, 38,653.21; Register of Deeds, 14,353.61; IT, 23,262.25; Human Resources,

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5,554.41; Sheriff, 301,074.13; HIDTA Grant, 3,944.34; Jail, 307,296.63; JSC, 106,698.79; JSC Juvenile Alternative, 4,621.83; CCADP, 109,645.84; Economic Assistance, 32,980.01; Extension, 1,409.60; Weed & Pest, 15,474.16; Planning and Zoning, 15,566.40; Road & Bridge, 108,248.70; Fire Administration, 3,408.88; Dispatch, 95,662.19; Emergency Management, 4,681.59; 24-7 Program, 7,400.84.

**AUDITOR'S ACCOUNT OF THE TREASURER:** To the Pennington County Board of Commissioners, I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer as of June 25, 2020: Total balances of checking/savings accounts 11,638,072.92; Total balance of Treasurer's Office safe cash, 13,400.00; Total certificates of deposit, 10,571,728.47; Total Prime Value Investment, 22,054,337.77; Total petty cash items, 17,040.00; Total long/short, (8,196.68); Total, 44,302,775.84. Submitted by Lori Wessel, Deputy Auditor.

**PERSONNEL**

**Auditor:** Effective 07/26/2020: Kaycee Island, \$2,655.20/bi-wkly. & Mary Israel, \$24.22/hr.

**Buildings & Grounds:** Effective 07/12/2020: Mark Jorgensen, \$19.02/hr.

**CCADP:** Effective 07/12/2020: Desmond Barnes & Anna Grant, \$18.50/hr.; Justin Hansen, \$26.08/hr. & Allen Schmidt, \$23.61/hr. Effective 07/12/2020: Tanah Oestmann, \$17.61/hr. & Lisa Fredsall, \$19.40/hr.

**Dispatch:** Effective 05/03/2020: Candice Wells, \$18.95/hr. Effective 06/28/2020: Chad Landis, \$18.73/hr.; Katie O'Bryan, \$20.14/hr. Effective 07/12/2020: April Olivas, \$21.40/hr.; Carla Buxton, \$21.68/hr., Suzanne Comrie & Stefanie Jenks, \$21.40/hr., Meghan Thomas, \$18.48/hr., Abby Doty, \$19.40/hr. & Bryce Hoven, \$20.38/hr.

**Emergency Mgmt:** Effective 05/03/2020: Mark Enright, \$21.70/hr.

**Equalization:** Effective 06/28/2020: Scott Dressler, \$23.59/hr.

**Highway:** Effective 07/12/2020: Joseph Delaney, \$19.92/hr. & Phane Sundquist, \$2,107.20/bi-wkly. Effective 07/12/2020: William Huggins, \$14.87/hr. & Barbara Salyers, \$14.50/hr.

**Jail:** Effective 07/12/2020: Dylan Arndt, Yovana Estrella Johnson & Abigail Pi, \$23.61/hr.; Corinna Cole & Jessica Mooney, \$17.85/hr.; Jody Ehret & Rio Shearer, \$17.62/hr. & Donell Welch, \$2,108.80/bi-wkly. Effective 06/28/2020: Nicole Prescott, \$22.47/hr.; Ryan McMurray, Anthony Combs, Parker Dadah & Stephen Stewart, \$22.47/hr. Effective 08/09/2020: Corey Brubakken, \$1,981.60/bi-wkly. Effective 07/12/2020: Angela Charbonneau, \$17.61/hr.; Brock Sinclair, \$24.79/hr.

**Planning & Zoning:** Effective 07/12/2020: Stephanie Jansen, \$19.92/hr. Effective 07/26/2020: Cody Sack, \$19.20/hr. & Kristina Proiett, \$21.94/hr.

**Public Defender:** Effective 07/12/2020: Kristine Vasilakes, \$21.70/hr. Effective 07/26/2020: Mathew Laidlaw, \$2,980.80/bi-wkly.

**Sheriff:** Effective 07/12/2020: Donald Ballard, \$23.04/hr.; Christopher Hislip, \$2,710.40/bi-wkly. & Jesse Huschle, \$31.70/hr.

**Treasurer:** Effective 07/02/2020: Nicholas Yetz, \$16.77/hr. Effective 07/26/2020: Melissa Clem & Kaylee Sparks, \$17.19/hr. Effective 08/09/2020: Tina Sun, \$19.20, Andrea Bossen, \$22.75/hr. & Darsha Nelson, \$18.05/hr. Effective 08/23/2020: Dawn Keegan, \$18.05/hr.



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WSC/JSC: Effective 07/12/2020: Timothy Bray, \$19.48/hr.; Llewellyn LongWolf II, \$23.04/hr. & John Martin, \$26.39/hr.

**RETROACTIVE PERFORMANCE STEP**

Effective 04/19/2020: Debi Harding, \$20.15/hr.

Effective 05/03/2020: Dawn Danley, \$15.98/hr.; Emielia Larsen, \$18.05/hr.; Clinton Lester, \$19.43/hr.; Isaiah Little Moon, \$18.05/hr.; Elizabeth Regalado, \$3,212.80/bi-wkly.; James Reichert, \$16.19/hr.; David Ricke, \$34.15/hr.; Ted Ruffledt, \$3,360.80/bi-wkly.; Rick Schneider, \$21.70/hr.; Scott Sitzes, \$28.01/hr.; Luke Stowers, \$24.79/hr. & Thomas Vlieger, \$2,358.40/bi-wkly.

Effective 05/17/2020: Lori Antonsen, \$19.68/hr.; Brenna Jackson, \$21.70/hr.; Michael Leiby, \$2,445.60/bi-wkly.; Lori Severson, \$2,737.60/bi-wkly. & Alexa White, \$2,300.00/bi-wkly.

Effective 05/31/2020: Aaron Austin, \$23.61/hr.; Brian Austin, \$23.61/hr.; Caleb Billings, \$23.61/hr.; Christopher Brown, \$23.04/hr.; Kirk Buchholz, \$28.35/hr.; Carla Buxton, \$21.42/hr.; Tristan Dufrene, \$23.61/hr.; Dennis Feller, \$30.25/hr.; Greg Ferweda, \$26.39/hr.; Ted Forbes, \$19.68/hr.; Tana Gajeski, \$24.93/hr.; Raul Garza, \$23.61/hr.; Justin Grable, \$24.79/hr.; Donald Grider, \$23.04/hr.; Miranda Hanson, \$15.98/hr.; Jeff Hoffman, \$19.68/hr.; Tana Koch, \$15.79/hr.; Gordon Larsen, \$23.91/hr.; Eric Lindsey, \$30.98/hr.; Tonya Lore, \$23.61/hr.; Steve Luken, \$16.78/hr.; Joseph Luper, \$23.61/hr.; Micah Mesman, \$23.61/hr.; Dustin Meyer, \$24.22/hr.; Joe Moore, \$20.90/hr.; Tina Morford, \$21.70/hr.; David Muller, \$17.20/hr.; David Oerline, \$23.04/hr.; Oraine Powell, \$23.04/hr.; Thomas Reese, \$26.72/hr.; Colton Reichert, \$23.61/hr.; Dawn Riter, \$19.70/hr.; Sara Rowley, \$15.60/hr.; Rachael Smith, \$23.61/hr.; Robert Snyder, \$23.61/hr.; Teresa Stecher, \$24.79/hr.; Robert Steele, \$23.04/hr.; Jeffrey Taul, \$17.22/hr.; Jack Thomas, \$18.50/hr.; Kyle Worden, \$23.04/hr. & Nicholas Wright, \$23.61/hr.

Effective 06/14/2020: Rita Bender, \$2,841.60/bi-wkly.; Jeffrey Boal, \$35.01/hr.; Jeremy Danley, \$33.74/hr.; Scott Dressler, \$21.42/hr.; Roxanne Erickson, \$3,728.80/bi-wkly.; Jesse Fagerland, \$28.77/hr.; Jamin Hartland, \$25.11/hr.; David Henry, \$25.11/hr.; Melvin Larson, \$2,803.20/bi-wkly.; Christopher Mooney, \$24.79/hr.; Deanna Nolan, \$2,526.40/bi-wkly.; Nanette Oines, \$23.91/hr.; James Pawelski, \$19.97/hr.; Linda Peterson, \$29.17/hr.; Joseph Phillippe, \$28.70/hr.; Eric Radke, \$2,385.60/bi-wkly.; Brooke Romeo, \$21.70/hr.; Tammi Salo, \$15.22/hr.; Robert Sanders, \$19.44/hr.; Robert Schoeberl, \$25.11/hr. & Tyler Snow, \$29.53/hr.

Effective 06/28/2020: Christine Ackerman, \$23.70/hr.; Jessica Afrank, \$21.70/hr.; Priscilla Borrego, \$21.42/hr.; Jane Chessman, \$25.85/hr.; David Clark, \$26.72/hr.; Joseph Edwards, \$29.06/hr.; Michelle Fankhauser, \$16.61/hr.; Jacob Fredericksen, \$23.94/hr.; Krystal Gentile, \$28.70/hr.; Ashley Green, \$15.98/hr.; Craig Groseth, \$27.39/hr.; Joanna Konechne, \$26.68/hr.; Chad Landis, \$18.95/hr.; Priscilla Massey, \$17.62/hr.; James McGuire, \$24.22/hr.; Kristopher Moore, \$25.74/hr.; Jordan Nelson, \$26.68/hr.; Katie O'Bryan, \$20.40/hr.; Lucas Oyler, \$2,108.80/bi-wkly.; Kathleen Rice, \$18.95/hr.; Christina Runs Against, \$21.70/hr.; Jasen Saivong, \$23.91/hr.; Gerald Scherr, \$16.19/hr.; Thadius Schmit, \$27.04/hr.; Edwin Schultz, \$33.74/hr.; Gregory Schunneman, \$27.39/hr.; Kailey Selby, \$21.94/hr.; Lee Sharpfish, \$18.05/hr.; Brock Sinclair, \$23.91/hr.; Kari Smith, \$23.04/hr.; Sandra Sortland, \$27.41/hr.; Agnes Standing, \$19.99/hr.; Paul Stevens, \$29.06/hr. & Daniel Tully, \$18.95/hr.

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Effective 07/12/2020: Joseph Doran, \$25.42/hr.; Stephanie Kroeze, \$2,779.20/bi-wkly.; Cullen McNeece, \$2,744.00/bi-wkly. & Sara Smith, \$23.62/hr.

Effective 07/26/2020: Donna Nordell, \$33.77/hr.; Angela Shute, \$3,173.60/bi-wkly. & Gordon Wendell, \$2,756.00/bi-wkly.

**ADJOURN**

MOVED by DiSanto and seconded by Drewes to adjourn the meeting. Vote: Unanimous. The meeting was adjourned at 12:44 p.m.

/s/ Cindy Mohler, Auditor

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